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ABSTRACT

This paper explores what divorced, noncustodial fathers may be considered responsible for in society and the possible consequences such accountability may have for educators. The resistance that noncustodial fathers may find to their involvement with their children's education at their children's schools in highlighted. The author concludes by offering specific recommendations for those involved in education to assist in the empowerment of divorced, noncustodial fathers. (Contains 21 references.) (GCP)

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What Does it Mean to Be Accountable When One Is a Divorced, Noncustodial Father?

By

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Paper presented as a part of the symposium,

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What Does it Mean to Be Accountable When

One Is a Divorced, Noncustodial Father?

We are gathered in a session in connection with an entire conference related to accountability for educational quality. No doubt each of us has considered what the word "accountability" or "the state of being accountable" (Webster's Revised Unabridged Dictionary, 1996/1998) means. What does it mean to be accountable? According to the American Heritage Dictionary (2000), one who is accountable is "liable to being called to account; answerable." When "accountable" is separated into its root words, "account," meaning to count, consider and analyze (American Heritage Dictionary, 1996) and "able," meaning "having power, skill etc." to do something (Guralink, 1984, p.2), we may consider one who is accountable as one who is counted as having power, skills, and talents to do something. What, then, does it mean to be accountable when one is a divorced, noncustodial father? To whom should he answer or respond? What is it that encourages a divorced, noncustodial father to be counted as a father, empowered with the resources, skills and talents he needs to father? What should such accounting mean for those who interact with these fathers, their children or their mother in an educational setting?

My remarks today stem from research into noncustodial fatherhood I initiated in an effort to increase my understanding of and ability to respond to this component of my husband's fathering journey. These comments related to divorced, noncustodial fatherhood come from my dissertation research with fathers with whom I conversed regarding shorter portions of their fathering journeys over a two year period.

What does it mean to be a divorced, noncustodial father?

Before we consider what divorced, noncustodial fathers may be considered accountable for in our society and the possible consequences such accountability may have for educators, I would like to briefly answer the question, "What does it mean to be a divorced, noncustodial father in today's society?" In many ways, a divorced noncustodial father may be very much like other fathers (Doherty, Kouneski & Erickson, 1998). A divorced, noncustodial father may, as one of these fathers, Alex, relates, be a "mentor, role model . . . friend" and "a positive force" in his children's lives. There may also be many differences between the experiences of a divorced, noncustodial father and those of fathers in other fathering situations. The extent to which a divorced, noncustodial father fathers and fulfills the roles and responsibilities he bears as a father depends, I believe, on the channeling that occurs within his fathering journey. In my dissertation (Browne, 1997), I compare divorced, noncustodial fathers to canal voyageurs.

A *voyageur* is one who travels, who makes a voyage. The word, "voyageur," is a French Canadian word that has been used, historically, to refer to persons who, under contract with fur trading companies, transported goods and other persons via Canadian waterways (McKechnie, 1983; Woolf, 1977). Noncustodial fathers are voyageurs in that they are travelers engaged in a lengthy fathering journey, travelers who are under contract with the mothers of their children, endorsed by law, to share the responsibility for their children's well-being and support. These contracts not only call upon noncustodial fathers to transport goods for their children's fiscal support, but also to journey with their children at specific times, and sometimes through specifically-designated waterways.

Noncustodial fathers, as voyageurs, may be seen traveling in canals. Canals have been created throughout history to make movement of ships through difficult waterways possible (Sanderlin, 1995). Canals are manmade waterways that have potential benefits as well as dangers for those ships that pass through them. Ships may pass through canals by more than one route. A return to a previous destination is possible if the routes enabling a return to that destination are followed (Knight, 1996).

Some of the canals that noncustodial fathers travel facilitate their fathering; others make it difficult for them to father as they desire. Noncustodial fathers do not have the freedom to journey as custodial fathers do. Noncustodial fathers' fathering voyages are channeled, forever directed along a canal route. Like most canals in operation throughout the world today, the figurative canals that noncustodial fathers travel in, as well as the contracts that these fathers enter into with the mothers of their children, operate considering the laws and regulations of the governments where they exist.

Noncustodial fathers must, as voyageurs, consider both the restrictions and opportunities available to them within the canals they travel. In response to the challenges and opportunities they encounter during their voyages, noncustodial fathers make choices regarding the extent to which they will honor the contracts they have made with the mothers of their children. These choices are based, in part, on their interpretation and understanding of the contracts and the mothers' interpretation of the contracts. These fathers also make choices regarding their children: whether to resolutely embrace or fall away from the possibilities available to them to be with their children. Based on their interpretation and understanding of the contracts they have with their children's fathers,

custodial mothers, too, make choices regarding the extent to which they will honor these contracts and the fathers' fathering. The fathers' children also make choices. The choices these children make may also impact their fathers' voyages.

What does it mean to noncustodial fathers to support a child?

In our society, what often seems to count, what noncustodial fathers are often considered accountable, answerable, liable and responsible for, is the support they provide for their children. This support, which most often is in actuality what may be labeled, "financial child support," is only one element of what the noncustodial fathers describe as they discuss what it means to them to support their children.

"A concept I wish I could change is child support. Because when I talk about child support it is . . . supporting my children emotionally and physically--bandaging their scrape. I want to support my children educationally . . . . I want to support my children spiritually." Joseph, a father of five children, believes that supporting his children involves rendering emotional, educational, spiritual and physical support. The physical support he speaks of involves more than meeting his children's financial and material needs. The example Joseph gives when he mentions physical support, "bandaging their scrape," is one that involves physical contact and presence.

Lewis, the noncustodial father of one daughter, believes, as Joseph does, that supporting a child involves offering emotional and educational support in addition to financial support.

> Child support means you support your child--not only emotionally, but financially. . . Not only financially, because you need to be there when your child needs you . . . Fully participate with her in school or doing things together with her . . . taking her on trips, sharing her with your

> girlfriend . . . and bonding that love together. That's what child support's all about.

Lewis, like Joseph, connects support with presence. This connection emerges as he speaks of "fully participating" with her, "doing things together with her" and sharing his friends with her. Being with his daughter, doing things with and for her are things Lewis considers important when he supports her.

In one of his comments related to child support, Richard, the noncustodial father of one son, associates child support with financial support. "[Child support] means maintaining the child's . . . essentials of health and . . . . welfare . . . which means taking care of the costs that it takes to rear a child . . . responsible and well." Although Richard connects financial and child support in this comment, he does not limit his description to providing a child with "the costs . . . to rear" him or her. Rather, he hopes that a child who is supported will receive the support s/he needs so that s/he will be reared to be "responsible and well."

As Richard relates his former wife's lawyer's manipulation of his comments to cast doubt on his desire to support his son in any way during a contempt hearing, he declares:

> I love supporting my son. I love doing everything conceivable for my son. The problem is I haven't been allowed to do it by the court or by her. That's the problem. The only way I've been able to serve [my son] is by being made to pay my wife money.

Supporting his son means more than "pay[ing] [his] wife money." Supporting his son means serving and "doing everything conceivable for" him. Supporting his son in many ways is something Richard loves to do; yet, it is also something that he believes his

former wife and the court have not allowed him to do. What might a reduction of a father's involvement in his child's life to that of a source of financial support mean for a father's understanding of himself as a father and the support he is able to give?

What is it about these fathers' being that may call them to support, or at least attempt to support, their children in the ways they speak of? The ontological care that Heidegger (1929/1962) describes may be that which calls these fathers and enjoins them to support their children in the ways they relate. Care, for Heidegger, is not "`tribulation', `melancholy', or the `cares of life'" (1929/1962, p. 57/84), nor is it a "will, wish, addiction, [or an] urge" (1929/1962, p. 182/227). Dreyfus (1995) indicates that the care Heidegger (1929/1962) characterizes is that which unifies the structural components of one's existence or way of being in the world.

Heidegger (1929/1962) defines the "average everydayness" of a person's existence in an "existential-ontological manner" as "Being-in-the-world which is falling and disclosed, thrown and projecting, and for which its ownmost potentiality-for-Being is an issue, both in its Being alongside the `world' and in its Being-with Others" (p. 181/225). Although each of the structural components of fathers' existence unified by ontological care may call to them, one of these components, their "ownmost potentiality-for-Being" as they are both in-the-world and present with others (Heidegger (1929/1962, p. 181/225), is one that could return us to the connection Joseph and Lewis make between presence and the support they hope to give their children. A consideration of this component could also increase our understanding of that which motivates these fathers to support their children. What, then, do the opportunities divorced, noncustodial fathers have to be with

and spend time with their children mean for the support they give them?

The connection between the time fathers spend with their children and the amount of financial support they provide for their children has been well-documented in the literature (Bureau of the Census, 1995; Furstenburg, Nord, Petersen and Zill, 1983; Kissman, 2001; Seltzer, 1991; Seltzer, Schaeffer & Charng, 1989). One reason why fathers may be more willing to provide financial support for their children when they spend time with these children is that being in their children's presence empowers them to be fathers and instills in them a desire to fulfill their responsibilities as fathers. Conversely, when fathers are denied access to their children's lives, they may be less motivated to respond to those obligations for which they may be considered accountable.

Heidegger (1929/1962) declares that each person's being or existence is "made visible as care" (p. 57/84, emphasis in the original). As they comment on this assertion, Mcquarrie and Robinson note that Heidegger connects care with "a reaching out for" the visible, that which can be seen, when he translates Aristotle's initial treatise as "The care for seeing is essential to man's Being" (1962, p. 215). Notwithstanding its essentiality, that which is visible, that which is seen by each person, each being, as s/he cares may not necessarily be seen by others. Heidegger (1929/1962), believes that one may care in a manner that is understood and visible to oneself, yet such care may be invisible to others. Who noncustodial fathers are as fathers may be manifest in both visible and invisible ways as they care for their children.

If a choice exists between spending money on a child when s/he is with a noncustodial father–even if this means taking money from the money available to provide

the officially contracted financial support for the child–it can be extremely difficult to withhold the money from the child. Richard describes how difficult this choice can be for him:

> Is my son, [a boy ten years old], better off now seeing . . . his father . . . put to such a test of paying money, of not being able to do it, of not being able to enjoy the time with him fully because I can't afford gas? I mean, . . . every time he's with me. We're in a mall on Sunday. "Can I have this?" "Can I have this?" "No, no, no, no." "No money, no money, no money, no money, no money." I have to say to him a thousand times.

At one point Richard relates an experience where he provides a birthday party for his son when he does not have the money to do so. With a car insurance payment, a phone bill, a car repair bill and his son's financial support due and not enough money to satisfy all of these financial obligations and still have a birthday party for his son, Richard chooses to have a party that costs him 105 dollars because his son really wants the party . As his court-ordered financial child support is not withdrawn from his wages at this point, Richard takes some of the money he spends on this birthday party from money that could be used to satisfy his legal obligation to provide financial child support, a commitment he usually satisfies. What might it mean to a noncustodial father to satisfy his child's expectations in a way that is visible to him and the child while they travel together? Might the father be answering the call of a child whom he wishes to strengthen his connection with? What might responding to such a call in a manner that impacts the amount of financial support provided for time when a noncustodial father and his child do not travel together mean for a child's existence when they are not together, an existence that is largely invisible to the father?

With respect to financial support for noncustodial children, some of the fathers

desire an accounting of how the money they provide is spent. If they were custodial parents, Joseph and Richard believe they could support their children without receiving any money from their children's mothers. Although they may be able to do so, do these fathers understand what it actually costs to support their children on a full-time basis? As difficult as it may be to provide it, if financial support accountability were realistically provided for fathers, they may be willing, in response to the understanding such accountability could provide, to not only satisfy their court-ordered commitments but provide additional financial support for their children when it is needed and they are able to provide it. When these fathers and the mothers of their children do not share the challenges they experience during their post-divorce parenting voyages with each other, they also do not give their former spouses the opportunity to choose to ease the burdens they may bear during these voyages.

Some noncustodial fathers have difficulty with the extent to which they are accountable to their children's mothers, the law and members of society in connection with their payment of financial child support. Noncustodial fathers are often aware of the consequences they may face if they do not fulfill this support obligation or if this support, when paid, is not received by the children's mother.

Richard uses a photo he has seen of "deadbeat dads" in a local newspaper as an example of one of the possible consequence when court-ordered financial support is not received.

> [If you don't pay] there's a chance you're going to be herded together with a bunch of other men who will [be] put into a paddy wagon. Your picture will be taken and on top of it will be put the words, "Dead Beat Dads Herded up for Jail," and it will be put in the [local newspaper].

As Richard discusses this photo, he asks, "What's best for the child? . . . To see his[/her] father on the front page of the newspaper in handcuffs?" According to Richard, one question that ought to be asked before judgment is passed on noncustodial fathers who have reportedly not met their court-ordered financial support obligations is why they have not paid. Do they have the money to pay? Is the court-ordered amount of financial support more than they can expend? Do they withhold payment for some other reason related to their post-divorce existence? Have they been given credit for the money they have paid?

The fathers with whom I spoke in both the proposal and formal segments of my dissertation research met their financial obligations to their children. U.S. Census reports (US Bureau of the Census1995; 1999) reveal that over half of noncustodial fathers pay all and approximately 75 percent pay at least part of their financial support commitments for their children.

Richard was the only father with whom I conversed who indicates that he has withheld part of his son's court-ordered financial support on limited occasions. Another father has sent the money one month after his former wife had moved and she did not receive it in the new state where she had moved to. When the money did not appear, she turned to social service officials rather than talking with him and the Uniform Reciprocal Enforcement of Support Act was invoked to notify him that the support had not been received. From that point on, his payments were made to a state agency and he was held accountable to the state agency rather than the children's mother for his payments. What might the inability of a custodial mother to afford a

noncustodial father the opportunity, the power, to account for a missed payment mean? What consequences might this have for her, the father and, ultimately, their children?

The amount of money one father, Brad, pays for his daughter's care is not a problem for him as he believes that his daughter's mother is held accountable for how she uses it:

> The money [I] pay her is not a problem for me . . . . It doesn't matter where she's getting this money. In the end she still has to provide a house or an apartment. She has to provide clothes and food . . . telephone, gas, electric and all this stuff. She'd have to do that anyway. That's still part of your daughter or son's benefit. And she can take that money out of your hand and go buy this all in one lump sum right in front of you. It doesn't matter 'cause she's still got to come up with that money somewhere down the road. . . .That's the way I've always looked at it. And I think if you look at it in any different light, it would just drive you crazy.

The noncustodial fathers involved in my research value education and wish to support their children's education. Because my husband has always been welcome in his noncustodial son's education-related activities and experiences, it was surprising to me to discover the extent to which noncustodial fathers' involvement in their children's education may be channeled by their children's schools as well as their children's mothers.

Four of the fathers with whom I conversed who have been in contact with their children's schools encountered resistance when they tried to access their children's school records and grade reports and interface with their children's school activities. It may be that schools are not aware that noncustodial fathers have a legal right based on the rights accorded them in the federal Family Educational Rights and Privacy Act of 1974 (20 USC & 1232g) to access their

children's records without the custodial mother's permission. Thirty-two states also have similar laws at the state level (Buehler & Gerard, 1995).

Lewis' entry into his daughter's school life was facilitated once he spoke with his former wife about his problems at school. The school had told him that his ex-wife needed to write a letter granting him permission to be involved. Richard, Brad and Joseph were barred access to their children's schools until they produced copies of federal and state laws which noted their right to gain access. Lawyers were involved at the school level and Brad and Joseph were ready to sue their children's schools for preventing them from seeing their children's academic records. Brad indicates that the resistance he experienced made him feel like he "didn't have a child." When he encountered resistance, Joseph felt like "an alien," "an outsider," and "a nobody." What might a father's limited involvement in their children's education mean to the children? How might such limited involvement possibly be interpreted by the children? What role ought noncustodial fathers play in their children's education? Henderson (1988) suggests a possible consequence for children when parental involvement is discouraged: "If schools treat parents as unimportant, if they treat them as negative education influences on their children, or if they discourage parents from becoming involved, then they promote the development of attitudes that inhibit achievement at school" (p. 151).

The fathers who initially desired access to their children's schools all presently have access. These fathers use the understanding of their children that they gain at school to encourage their children's academic achievement. Such

information also assists them as they discuss those problems and concerns which their children share with them. These fathers attend parent teacher conferences and school functions when they are aware of them. These fathers also act as parent volunteers in the classroom and serve on parent teacher association executive committees.

Brad believes that schools "don't want to get involved" in noncustodial fathers' lives. Why are schools reluctant to get involved? Some possible reasons why schools are reluctant to get involved in the binuclear family system include: 1) limited resources: limited time available for school personnel to attend to noncustodial fathers' needs and limited money available to send school schedules and reports to these fathers; 2) a possible view of binuclear families in general and noncustodial fathers in particular as deviant with a preference for the traditional family; 3) concern about family abductions when only 2 percent of all family abductions occur in connection with schools or day care settings (Sweet, 1990, p.1); 4) school personnel's lack of understanding of laws related to noncustodial fathers' access to school records; and 5) the absence of school policy related to noncustodial fathers' involvement.

In addition to the resistance that noncustodial fathers may find to their involvement with their children's education at their children's schools, these fathers may also experience resistance to this component of their fathering from their children's mothers. Joseph's children do not share much regarding their schooling with him as their mother does not allow them to do so, nor does she

allow them to bring homework with them when they come for weekend visitation. Notwithstanding these limitations, Joseph actively seeks to enrich his children's educational experiences by building upon whatever threads of information regarding their schooling he discovers. Joseph involves his children in activities such as science experiments and takes them to historical and science-based sites during visitation. Richard's former wife also restricts his access to his son's homework. This restriction is especially significant for this father as he not only values education but has taught school for 8 years. When Richard picks his son up directly from school and has the rare opportunity to help his son with his school work, he describes doing homework as "a joy."

Brad, like Richard, also enjoys doing homework with his daughter and looks forward to doing it. Brad indicates that his former wife's attempts to deny him the access to his daughter's school life that the original child custody agreement accorded him contributed to his decision to engage in a lengthy custody battle.

> That was one of the main things I was fighting about. . . . I have a lot to offer Michaela educationally. I want to be a part of it, and I said that in court and made a large issue of it . . . I wanted her to feel she could come over, with her school work and have me go to work. [I have my] strong points, [my ex-wife] has some strong points. . . . I thought that [our daughter] could use the benefit of having both parents help her out. . . . . I love doing work with her and I feel that because of me helping out too, is part of why she's been an "A" student. I don't take full credit for it, but I think the combination of the two of us helping her works out.

Brad's belief that his involvement in his daughter's schooling contributes to her academic achievements may not be unfounded. Research points to the beneficial

nature of parental involvement in a child's schooling (Carlson, 1995; Edwards & Young, 1992; Henderson, 1988). Noncustodial fathers may not only assist their children with their homework, but they may also offer attitudinal, emotional and other support that may contribute to their children's academic success. The additional resources and experiences in a noncustodial father's home may also enrich a child's education (Carlson, 1995).

What accountability might those involved in education have for divorced, noncustodial fathers?

If we return to the consideration of the meaning of the term, "accountability," as having the power, skills, and talents to account, answer and respond to something, what does our understanding of what it means for a noncustodial father to support a child mean for those who work in an educational setting? What should we, as educators, do to empower these fathers and those with whom they have relationships in the binuclear family system to enable them to account and respond to their responsibilities? To conclude, I would like to offer some specific recommendations toward such empowerment:

1. When possible, critically consider what it means to be a parent, what it means to support a child and what it means to be a father, mother or other member of a family system. Remove the layers of understanding and consider which of the conceptualizations we hold are valid across all situations and which of these conceptualizations are not. Models of teaching which may be effective in such examination include role play as

described by Smith (1999), Joyce, Weil and Calhoun (2000) and synectics.

2. As Fox (1985) suggests, "encourage the inclusion in primary and secondary school curricula of materials on family life education, child development, communication skills, and problem-solving or conflict resolution training" (p. 410).

3. Eschew a deficit fathering model (Hawkins and Dollahite, 1997). Support the involvement of fathers in their children's lives, including their children's education.

4. Establish classroom and school policy that encourages the participation of noncustodial fathers in their children's schooling. [Austin's (1993) study of school policy reveals that 60 percent of the 78 schools involved in his research did not have a written school policy related to noncustodial parents.] Schools should presume (Carlson, 1995) that custodial and noncustodial parents should try to work together for the best interest of their children's school performance. Copies of school policy should be given to noncustodial fathers and custodial mothers alike on a yearly basis.

5. In accordance with federal law and state laws, grant fathers access to their children's school records.

6. Noncustodial fathers should receive copies of grade reports and school schedules when they wish to receive these. Schools should not assume that custodial mothers will share this information with the noncustodial fathers. Reports should be provided free of charge, but if noncustodial fathers need

to provide self addressed, stamped envelopes to receive these reports, this need should be indicated in school policy.

7. Schools should have the name, address, telephone number of noncustodial fathers/parents; copies of custody agreements and amendments to these agreements as these agreements may specifically state the extent of educational access accorded to the noncustodial father. As the status of agreements and the noncustodial father's address may change, this information should be updated annually.

8. Noncustodial fathers should be invited to participate in parent-teacher conferences. When both parents are not comfortable attending such conferences together, separate conferences should be held. Although only parents with legal custody may sign documents related to special education assessments, noncustodial parents should be aware of the results of these assessments. Parent teacher conferences should be held at times outside of the father's work hours to facilitate his involvement.

9. Conditions when restricted access to school events are considered justified should be stated in school policy.

10. School drop off/pick up policy should be noted with respect to whether or not a note is required from the custodial parent needed each time a noncustodial parent picks him/her up from school.

11. Procedures for visiting the school and becoming a parent volunteer should be noted in school policy.

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